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BEFORE THE ARIZONA CORPORATION

COMMISSIONERS

Arizona Corporation Commission

DOCKETED

NOV 13 2014

BOB STUMP - Chairman
 GARY PIERCE
 BRENDA BURNS
 BOB BURNS
 SUSAN BITTER SMITH

DOCKETED BY

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IN THE MATTER OF THE APPLICATION OF
 WILLOW VALLEY WATER COMPANY, INC.
 FOR AN EXTENSION OF ITS CERTIFICATE
 OF CONVENIENCE AND NECESSITY.

DOCKET NO. W-01732A-05-0532

DECISION NO. 74815

ORDER EXTENDING TIME
DEADLINE CONTAINED IN
DECISION NOS. 68610, 71174,
71861, 72295, AND 73560

Open Meeting
 November 5 and 6, 2014
 Phoenix, Arizona

BY THE COMMISSION:

* * * * *

Having considered the entire record herein and being fully advised in the premises, the
 Commission finds, concludes, and orders that:

FINDINGS OF FACT

1. On March 23, 2006, the Arizona Corporation Commission ("Commission") issued
 Decision No. 68610 which approved the application of Willow Valley Water Company, Inc.
 ("Company" or "Applicant") for an extension of its Certificate of Convenience and Necessity
 ("Certificate") to provide public water utility service to 48 acres of land consisting of Parcels A, B,
 and C in Mohave County, Arizona.

2. As a condition of the Commission's approval, the Company was required to file, by
 March 23, 2007, copies of the developer's Letter(s) of Adequate Water Supply ("LAWS") which is to
 be issued by the Arizona Department of Water Resources ("ADWR") for each parcel.

3. By Procedural Order dated April 19, 2007, an extension of time was granted for the
 Company to file copies of the developer's LAWS by March 23, 2008.

1 4. On March 21, 2008, the Company filed a motion requesting that the deadline for filing
2 a copy of the developer's LAWS for Parcel C be extended for an additional year, from March 23,
3 2008 to March 23, 2009. The Company indicated that copies of the developer's LAWS for Parcel A
4 and Parcel B had been secured and attached copies of the same as exhibits to the motion.

5 5. By Procedural Order dated April 29, 2008, an extension of time was granted for the
6 Company to file a copy of the LAWS for Parcel C by March 23, 2009.

7 6. On March 23, 2009, McKellips Land Corporation ("MLC"), the developer of Parcels
8 A, B, and C, filed an application to intervene in this docket and filed a motion to extend the time to
9 file a copy of the LAWS until March 23, 2010. In its motion, MLC clarified that included within
10 Parcels A, B, and C was a subdivision, Willow Valley Estates 20, Tract 4134, which was being
11 developed in three phases, Tract 4134-A ("Tract A"), Tract 4134-B ("Tract B"), and Tract 4134-C
12 ("Tract C"). MLC reported that it had obtained the LAWS for Tracts A and B of the subdivision, but
13 that it had encountered difficulties in obtaining the LAWS for Tract C, which had been renamed
14 Willow Valley Estates 21, Tract 4228. Tract C is located within Parcel C.

15 7. On June 30, 2009, the Commission issued Decision No. 71174 granting MLC
16 intervention for the purpose of filing an extension of time on behalf of the Company and extending
17 the time to file the LAWS until March 23, 2010.

18 8. Decision No. 71861 (September 1, 2010) subsequently extended the deadline to file
19 the LAWS until March 23, 2011; Decision No. 72295 (May 4, 2011) further extended the due date
20 until March 23, 2012; and Decision No. 73560 (October 17, 2012) additionally extended the deadline
21 until September 30, 2013.

22 9. On September 30, 2013, MLC filed a Motion requesting that the deadline for filing a
23 copy of the LAWS for Tract C be extended until March 31, 2014. In its Motion, MLC states that "it
24 has once again encountered extraordinary adverse circumstances that warrant an additional
25 extension." Additionally, MLC requests a Commission order confirming that the Company is in
26 compliance with the deadline to submit the LAWS for Tract A and Tract B.

27 10. On February 19, 2014, MLC filed a supplement to its Motion requesting that the
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1 LAWS deadline for Tract C be further extended until September 30, 2014.

2 11. On September 11, 2014, MLC filed a copy of the LAWS for Tract C.

3 12. On September 26, 2014, the Commission's Utilities Division ("Staff") filed a
4 Memorandum recommending that the deadline for filing a copy of the LAWS for Tract C be
5 extended until September 30, 2014 so that the Company will be in compliance with the LAWS filing
6 requirement originally ordered in Decision No. 68610.

7 13. We find that Staff's recommendation is reasonable and should be adopted.

8 14. We further find that the Company is in compliance with the LAWS filing deadlines
9 ordered in Decision Nos. 68610, 71174, 71861, 72295, and 73560, for Tracts A, B, and C.

10 **CONCLUSIONS OF LAW**

11 1. Willow Valley Water Company, Inc. is a public service corporation within the
12 meaning of Article XV of the Arizona Constitution and A.R.S. §§ 40-281 and 40-282.

13 2. The Commission has jurisdiction over Willow Valley Water Company, Inc. and the
14 subject matter of the extension request addressed herein.

15 3. McKellips Land Corporation has previously been granted intervenor status pursuant to
16 A.A.C. R14-3-105 for the purpose of filing for an extension of time on behalf of Willow Valley
17 Water Company, Inc.

18 4. An extension of time to comply with the filing requirements of Decision Nos. 68610,
19 71174, 71861, 72295, and 73560, as discussed herein, is fair and reasonable and in the public interest.

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ORDER

IT IS THEREFORE ORDERED that Willow Valley Water Company, Inc. shall be granted an extension of time, until September 30, 2014, to file a copy of the developer's Letter of Assured Water Supply for Tract C to be issued by Arizona Department of Water Resources as previously ordered in Decision Nos. 68610, 71174, 71861, 72295, and 73560.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

CHAIRMAN

COMMISSIONER

COMMISSIONER

COMMISSIONER

COMMISSIONER

IN WITNESS WHEREOF, I, JODI JERICH, Executive Director of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this 13th day of November, 2014.

JODI JERICH
EXECUTIVE DIRECTOR

DISSENT _____

DISSENT _____

SMH:ru

1 SERVICE LIST FOR:

WILLOW VALLEY WATER COMPANY

2 DOCKET NO.:

W-01732A-05-0532

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